

**UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF NEW YORK**

<b>ZURICH AMERICAN INSURANCE COMPANY,</b>	)	
	)	
<b>Plaintiff,</b>	)	<b><u>Civil Action</u></b>
	)	
<b>vs.</b>	)	<b>CASE NO.: 07 CIV 6514 (DC)</b>
	)	
<b>PIEDMONT EXPRESS, INC.,</b>	)	<b>NOTICE OF MOTION FOR EXTENSION OF TIME TO ANSWER</b>
	)	
<b>Defendant.</b>	)	
	)	

**PLEASE TAKE NOTICE**, pursuant to Rule 6(b) of the Federal Rules of Civil Procedure, Defendant, Piedmont Express, Inc. (“Defendant”), by and through counsel, petitions the Court for an extension of time in which to file responsive pleadings to Plaintiff’s Complaint in this action. In support hereof, Defendant shows the Court that the initial time within which Defendant was to file an Answer or otherwise plead has not expired, and that Defendant is unable to assemble the information required for filing responsive pleadings within twenty (20) days of first receipt of the Complaint.

**WHEREFORE**, Defendant prays the Court that it grant an extension of at least twenty (20) days in addition to the time allowed by law, as measured from the date of proper service on Defendant, in which to file responsive pleadings. As Defendant was served with the Summons and Complaint in this action on August 29, 2007, Defendant requests that its responsive pleading not be required at least until October 8, 2007.

Yours, etc.

POE & FREIREICH, P.A.  
Attorneys for Defendant

By: /s/  
Jeffrey J. Berezny, Esq. (JB1144)

Law Offices  
POE & FREIREICH, P.A.  
256 Columbia Turnpike  
Columbia Commons-Suite 202  
Florham Park, New Jersey 07932  
Phone: (973) 966-2770  
Fax: (973) 966-7809

Dated: September 18, 2007

TO: James J. Ruddy, Esq.  
McDermott & Radzik, LLP  
Wall Street Plaza  
88 Pine Street, 21<sup>st</sup> Floor  
New York, New York 10005

**CERTIFICATE OF SERVICE**

The undersigned attorney certifies that a copy of the foregoing document was duly filed through the ECF system and thereby served on the following individuals:

James J. Ruddy, Esq.  
[jjruddy@mcdermottradzik.com](mailto:jjruddy@mcdermottradzik.com)

This the 18<sup>th</sup> day of September, 2007.

Yours, etc.

POE & FREIREICH, P.A.  
Attorneys for Defendant

By: /s/  
Jeffrey J. Berezny, Esq. (JB1144)

Dated: September 18, 2007